



REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-9 are pending in this application. Claims 1, 3 and 4 are amended; and new Claims 8 and 9 are added by the present amendment. Support for amended Claim 1, and new Claims 8 and 9 can be found in the original specification, claims and drawings.¹ No new matter is presented.

In the outstanding Office Action, Claims 1, 2, 5 and 6 were rejected under 35 U.S.C. 102(b) as anticipated by Nishimura et al. (U.S. Patent No. 2002/01149729, herein "Nishimura"); and Claims 3, 4 and 7 were objected to as independent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicants appreciatively acknowledge the indication of allowable subject matter. In response, Claim 1 is amended to incorporate a portion of the subject matter from dependent Claims 3 and 4. Further, new independent Claims 8 and 9 recite features of original Claim 1, and portions of original Claims 3 and 4. Accordingly, Applicants respectfully submit that amended independent Claim 1, and new independent Claims 8 and 9 patentably define over the applied reference.

Amended independent Claim 1 relates to a liquid crystal display device comprising,
inter alia,

...a capacitor terminal placed opposite to the capacitor electrode with the insulating layer therebetween to generate capacitance, and connected to the pixel electrode ***through at least two contact holes created in a second insulating layer above the capacitor terminal...***

¹ e.g., original Claims 3 and 4.

New independent Claim 8 recites a substantially similar feature. Accordingly, the arguments presented below are applicable to both independent Claims 1 and 8.

An exemplary embodiment of the above emphasized claimed feature is depicted in Figs. 1 and 2-E. Specifically, a capacitor terminal (12) is placed opposite to the capacitor electrode (3) with the insulating layer (16) therebetween to generate capacitance, and connected to the pixel electrode ***through at least two contact holes (6) created in a second insulating layer (19) above the capacitor terminal.***

Turning to the applied reference, Nishimura describes a liquid crystal display apparatus having a large pixel aperture ratio. In addressing the features recited in independent Claim 1, the outstanding Official Action relied on Figs. 3 and 7 of Nishimura. Specifically, in addressing the claimed structural relationship between the capacitor terminal and the pixel electrode, the outstanding Official Action asserts that the capacitor terminal is the “horizontal portion of the pixel electrode,” as depicted in Fig. 3 of Nishimura.

Therefore, the outstanding Official Action asserts that the pixel electrode (PX) of Nishimura corresponds to both the pixel electrode and the capacitor terminal recited in the pending claims. Such a configuration is in clear contrast to independent Claim 1, which recites that the ***capacitor terminal is connected to the pixel electrode through at least two contact holes created in the insulating layer above the capacitor terminal.***

Specifically, Figs. 3 and 5 of Nishimura show that that the pixel electrode (PX) is a single integrally formed layer. Thus, if the pixel electrode does correspond to both the pixel electrode and the capacitor terminal, as asserted in the outstanding Official Action, there is no insulating layer above the capacitor terminal, or contact holes formed therein to facilitate a connection between the pixel electrode and the capacitor terminal.

Therefore, Nishimura fails to teach or suggest that the *capacitor terminal is connected to the pixel electrode through at least two contact holes created in the insulating layer above the capacitor terminal*, as recited in amended independent Claim 1.

Accordingly, Applicants respectfully request that the rejection of Claim 1 (and Claims 2, 5 and 6, which depend therefrom) under 35 U.S.C. 102(b) be withdrawn. For substantially the same reasons as provided with respect to independent Claim 1, Applicants also submit that new Claim 8 patentably defines over the applied references.

New Claim 9 relates to a liquid crystal display device comprising, *inter alia*,

...a capacitor terminal placed opposite to the capacitor electrode with an insulating layer therebetween to generate capacitance, and connected to the pixel electrode, wherein *the pixel electrode and the common electrode are formed in the same conductive layer*...

An exemplary embodiment of the above emphasized claimed feature is depicted in Fig. 2-E. Specifically, the capacitor terminal (12) is placed opposite to the capacitor electrode (3) with the insulating layer (16) therebetween to generate capacitance, and connected to the pixel electrode (4), wherein *the pixel electrode (4) and the common electrode (5) are formed in the same conductive layer*.

Fig. 5 of Nishimura clearly depicts the structural relationship between the common electrode (CE) and the pixel electrode (PX) of his device. Specifically, Fig. 5 shows that the common electrode (CE) is formed on the upper surface of the structure, and the pixel electrode (PX) is sandwiched between an insulating layer (GI) and a surface protective film (PAS). Thus, the pixel electrode (PX) and common electrode (CE) are not *formed in the same conductive layer*, as recited in new independent Claim 9.

Accordingly, Applicants respectfully submit that new independent Claim 9 patentably defines over the applied references.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-9, is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested

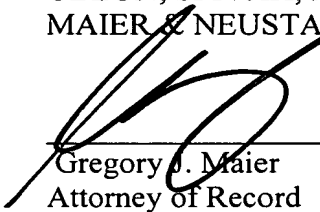
Respectfully submitted,

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